

ONE-TIME CAP ON MEDICAID COUNTY SHARE (S. L. 2006-66)

SECTION 10.9E. (a) It is the intent of the General Assembly to provide sufficient funds for one-time assistance to counties with respect to the county share of the nonfederal share of Medical Assistance payments for the 2006-2007 fiscal year. To this end, the General Assembly estimates that the cost of the State maintaining the county share of the nonfederal share of Medical Assistance payments, excluding administrative costs, at the 2005-2006 level will not exceed twenty-seven million four hundred thousand dollars (\$27,400,000) for the 2006-2007 fiscal year.

SECTION 10.9E. (b) Notwithstanding any other provision of law to the contrary and subject to the limitations in subsection (d) of this section, each county's portion of the nonfederal share of Medical Assistance payments, excluding administrative costs, for the 2006-2007 fiscal year only, shall not exceed the amount paid by the county for the nonfederal share of Medical Assistance payments, excluding administrative costs, for the 2005-2006 fiscal year. In the event a county's portion of the nonfederal share of Medical Assistance payments, excluding administrative costs, is less in fiscal year 2006-2007 than the county share paid for fiscal year 2005-2006, then the county's share for the 2006-2007 fiscal year shall be the lower amount.

SECTION 10.9E. (c) Of the funds appropriated in this act to the Department of Health and Human Services, Division of Medical Assistance, a sum not to exceed twenty-seven million four hundred thousand dollars (\$27,400,000) in nonrecurring funds for the 2006-2007 fiscal year shall be used to cover the increased cost to the State resulting from the one-time assistance for the county share provided under this section.

SECTION 10.9E. (d) If fifteen percent (15%) of the nonfederal share of total Medical Assistance payments in the 2006-2007 fiscal year exceeds the amount of the nonfederal share paid by counties in fiscal year 2005-2006 plus the twenty-seven million four hundred thousand dollars (\$27,400,000) in nonrecurring funds appropriated in this act for this purpose, then the county share for 2006-2007 shall be fifteen percent (15%) of the amount by which the nonfederal share of total Medical Assistance payments exceeds the amount appropriated in this act for the one-time assistance plus the amount paid by the counties in the 2005-2006 fiscal year.

SECTION 10.9E. (e) If less than twenty-seven million four hundred thousand dollars (\$27,400,000) in nonrecurring funds for the 2006-2007 fiscal year is needed for one-time assistance for the county share, then funds remaining shall revert to the General Fund.

SECTION 10.9E. (f) The Department of Health and Human Services shall continue to track, on a monthly basis, each county's portion of the nonfederal share of Medical Assistance payments, excluding administrative costs, in fiscal year 2006-2007 as if the counties were still paying fifteen percent (15%) of all applicable nonfederal costs. The Department shall report on

a monthly basis to the Fiscal Research Division each county's portion of the nonfederal share of Medical Assistance payments, excluding administrative costs, as determined by this section.

SECTION 10.9E. (g) For purposes of this section:

- (1) "Medical Assistance payments" include Medicare Part D payments.
- (2) Medical Assistance payments in fiscal year 2005-2006 represent the sum of 12 county warrants for Medicaid expenditures from June 2005, through May 2006. Medical Assistance payments in fiscal year 2006-2007 represent the sum of the 12 warrants for Medicaid expenditures from June 2006, through May 2007.